

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020 (as amended);

RE: PS Gareth Higginbottom (“GH”)

The following represents the Panel’s findings in respect of the Police Misconduct hearing held at Greater Manchester Police Headquarters on 15-17 June 2026.

Preliminary Matters / Legal advice

Sexual Harassment – meaning

The Equality Act 2020 provides that:

(1) A person (A) harasses another (B) if—

(a) A engages in unwanted conduct related to a relevant protected characteristic, and

(b) the conduct has the purpose or effect of—

(i) violating B's dignity, or

(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment..

(4) In deciding whether conduct has the effect referred to in subsection (1)(b), each of the following must be taken into account—

(a) the perception of B;

(b) the other circumstances of the case;

(c) whether it is reasonable for the conduct to have that effect.

(5) The relevant protected characteristics [include] sex.

General definition of harassment: key points

- A one-off incident can amount to harassment.
- The victim need not have made the perpetrator aware that the conduct was unwanted.
- Conduct can amount to harassment if it is related to a relevant protected characteristic.
- To amount to harassment, A's conduct must have the purpose or effect of violating B's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for B. Where B claims that the conduct had this effect (although this was not A's purpose), the tribunal must consider whether it was reasonable for the conduct to have that effect.

Documentation

The Panel was provided with and read the case papers in advance of the hearing which included the following:

- 1) Regulation 30 Notice.
- 2) Investigators Report.
- 3 Messages exchanged between GH and PC A and PC B.
- 4) GH's Written Statement dated 4 June 2024 and R31 Response dated 3 October 2025.
- 5) MG11 witness statements of: PCA, PC B and PCC.

Witnesses

The Panel heard evidence from PS Higginbottom.

The Appropriate Authority's Case

The AA maintains that the alleged conduct amounts to a breach of the Standards of Professional Behaviour of: Authority, Respect and Courtesy and Discreditable conduct, and therefore amounts to Gross Misconduct.

The AA asserts that the officer's conduct, taken individually and jointly, amounts to Gross Misconduct.

PS Higginbottom's response to the Allegations

Allegation 1: GH accepts all of the breaches of the Standards of Professional Behaviour to the level of Misconduct.

Allegation 2: GH accepts Allegation 2 (i) and 2 (ii) to the level of Misconduct. However, Allegation 2(iii) is disputed.

Allegation 3: GH accepts the breach to the level of Misconduct.

Standard and Burden of Proof

The Panel is required to apply the Civil Standard of Proof namely, on the balance of probabilities. The alleged conduct is proven if the Panel is satisfied that it is more likely than not that the conduct occurred.

The Burden of Proof falls on the AA to prove the allegations on the requisite standard.

The Panel's Approach

During this hearing, the Panel took the following approach:

- (i) First, to consider the facts of the case and to make findings in relation to each of the facts alleged by the AA.

- (ii) Second, determine whether those facts found proved constituted one or more breach(es) of the relevant standards.
- (iii) Third, to determine whether any conduct found proven against the Officer amounted to Misconduct or Gross Misconduct or Neither.
- (iv) Fourth, and if appropriate, to decide what the outcome should be.

The Panel reminded itself that the burden of proof is on the AA throughout the hearing and that the relevant standard of proof is the standard required in civil cases namely, the balance of probabilities.

The Facts as determined by the Panel

The Alleged misconduct is fully particularised within the R30 Notice. In determining the facts (as detailed below) the Panel had regard to, amongst others, the unequivocal admission of facts made by PS Higginbottom within his written response and in evidence.

Allegation 1:

In May 2023 GH and PC A had a consensual sexual encounter. Following the sexual encounter, GH asked PC A not to disclose their encounter to anyone because he was about to be promoted as a Sergeant and would become her direct supervisor. PC A agreed to GH's request as she did not wish to continue in a relationship because it would prove too awkward to continue in the circumstances.

On 30 August 2023 GH and PC A along with other colleagues attended a social event. By this time, GH was one of PC A's direct supervisors. At the end of the evening, GH and PC A went to a nearby McDonalds restaurant to eat. On route, to the restaurant PC A asked GH if he had ever disclosed their sexual encounter with anyone to which he responded, *"why would I tell someone that I slept with someone and then they fucked me off the next day."*

Subsequently, PC A felt unwell and decided to go home instead of heading to the restaurant. PC A informed GH that she had decided to go home and he asked, *"why don't you come back to my house and I will drop you home tomorrow."* PC A declined GH's offer and travelled home as intended.

In the early hours of 31 August 2023, PC A checked her mobile phone and noticed that she had received messages from GH on iMessage, WhatsApp, Instagram, Facebook and two missed calls.

In particular, at 01:50 on 31 August 2023 PC A received a message from GH which read as follows:

"Slagggggg. Upset because what you wanted went home. Can't be arsed with you mate. Feel like such a fucking mug, wanting to make amends so you can crack on with other people. Mithered about what other supervision thing, only yourself to blame. You're actually angin mate. Don't rely, can't be dealing with skets."

GH also sent PC A several other messages on various platforms (namely, Facebook message and WhatsApp) in a similar vein.

The Panel had regard to the dictionary meaning of "Sket" and "angin" as being insulting terms for a woman who is respectively promiscuous and ugly.

Allegation 2:

On 31 August 2023, PC B attended the same works night out as mentioned in relation to Allegation 1 (above). During the evening, PC B was part of a group discussing people that were in relationships on the team. As part of this conversation, PC B mentioned that she had been in a relationship with someone from another relief and that during this relationship, she had kissed another colleague during a night out. In response to PC B, GH commented that the two officers referenced by PC B, *“are going to be spit roasting you”* and made reference to *“BBQ’s”*, which he repeated to PC B throughout the evening. However, PC B was not offended by GH’s comments as she considered them to be *“banter”*. The Panel concluded that, notwithstanding the ordinary meaning of the words used in the prevailing context they were sexualised.

Furthermore, as regards Allegation 2(iii) concerning the making of the disputed comment, *“Don’t worry PC B I’d fuck you”*, the Panel found the allegation proven. In making this finding, the Panel had particular regard to the following evidence:

1. PC B reacted to the comment contemporaneously by reporting it to a colleague who in turn challenged GH. Thereafter, GH apologized to PC B.
2. The Panel preferred the account of PC B over that of GH, whose account / recall of the events was, as he admitted, adversely affected by his level of intoxication.

Allegation 3:

On 7 March 2024, PC C and GH attended a works night out with some other colleagues. During the evening, PC C noticed GH speaking to a group of males, whom she subsequently ended up speaking with. The males asked PC C if she knew GH and she confirmed that they worked together. The two males commented that they considered GH to be rude. Shortly thereafter, GH approached PC C and said to her, *“I’ve told those lads that you’re not the type of girl to go home with them and fuck them if that’s the plan”*.

PC C did not respond to the comments but considered the comments to be highly inappropriate and unsolicited.

Gross Misconduct, Misconduct or Neither

The Panel considered that GH was solely responsible for the proven conduct, which was serious, deliberate and targeted in respect of PC A, PC B and PC C. Furthermore, in relation to the proven conduct regarding PC A, the Panel concluded that it was done with malign intent.

Accordingly, the Panel considered that the proven conduct could justify the officer’s dismissal and amounts to Gross Misconduct.

Having determined the facts the Panel considered which of the relevant Standards of Professional Behaviour (SPB) were engaged and breached, as stated in the College of Policing Code of Ethics.

Standards of Professional Behaviour

Authority, Respect and Courtesy

By these standard officers are required to act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. Further, officers are required to carry out their role in an efficient, diligent and professional manner

Discreditable conduct

By these standard officers are required to constantly keep in mind that the public expect them to maintain the highest standards of behavior. Therefore, they must consider how a member of the public may regard their behaviour whether on or off duty.

The Panel considered that both these Standards had been breached by PS Higginbottom.

DECISION ON OUTCOME

Legal Considerations

The Police (Conduct) Regulations 2020 (as amended) provides that, where a panel finds the case against the officer subject of misconduct proceedings proven as to Gross Misconduct, they can impose one of the following disciplinary actions:

1. Dismissal Without notice
2. Reduction in Rank
3. Final Written Warning

The College of Policing Guidance on Outcomes (2023) provides that in determining the appropriate outcome the panel should have regards to aggravating and mitigating factors and the officer's record of service. The appropriate outcome is dependent upon the facts and circumstances of the particular case.

The purpose of the misconduct regime is threefold:

1. To maintain public confidence in and the reputation of the Police Service.
2. To uphold high standards in policing and deter misconduct.
3. Protect the public.

The assessment of the seriousness of the proven conduct is central to the decision on outcome. In determining the appropriate outcome, the Panel must apply the following 3 stage test namely:

1. Assess the seriousness of conduct
2. Consider the purpose of imposing sanctions
3. Choose the sanction that appropriately fulfils that purpose for the seriousness of the proven conduct.

In assessing the seriousness of the proven conduct the Panel must have due regard to the following:

1. The officer's culpability
2. The harm caused by the misconduct
3. The existence of any aggravating features
4. The existence of any mitigating features

The Panel must be mindful that the most important purpose of imposing disciplinary sanctions is to maintain public confidence in and the reputation of the police service as a whole.

Culpability

Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and more severe the likely outcome.

Conduct which is intentional, targeted, deliberate or planned will generally be more culpable, than conduct which has unintended consequences, although the consequences of the officer's conduct is relevant to the harm caused.

Further, where harm is unintentional, culpability will be greater if the officer could reasonably have foreseen the risk of harm

The Panel considered that the proven conduct was, targeted, intentional and deliberate and GH was entirely responsible for the proven conduct.

Further, the Panel also had regard to the fact that GH was in a leadership position, as a Sergeant, and by virtue of the proven conduct he failed to act as a role model. As such, the Panel considered that the proven conduct is serious.

In all the circumstances, the Panel concluded that GH's level of Culpability is Medium to High.

Harm

The harm caused by an officer's actions can be considered in various ways, including reputational harm.

Further, public perception and the reputation of the police service are relevant when considering the harm or the risk of harm caused by the proven conduct.

The Panel noted that PC A suffered a measure of distress and PC B's reputation was put at risk of damage by the proven comments.

In all the circumstances, the Panel considered that if the public were aware of the proven conduct, especially having regard to national and local concerns regarding male officers' treatment of women and girls it would undermine public confidence in and the reputation of the police service.

Accordingly, the Panel considered that the level of harm caused by the proven conduct is Medium.

Aggravating Factors

Aggravating factors are those tending to worsen the circumstances of the case in relation to the officer's culpability or the harm caused.

The Panel carefully noted a number of aggravating factors present in this case which included: -

- a) repeated behaviour that was directed at more junior female officers albeit over a short period and which, continued after he should have realised that it was improper;
- b) sexual harassment and targeted behaviour in relation to PC A with malign intent;
- c) multiple proven allegations and/or breaches of the Standards of Professional Behaviour.

Mitigating Factors

Mitigating factors are those that tend to reduce the seriousness of the misconduct. Some factors may indicate that an officer's culpability is lower, or that the harm caused by the misconduct is less serious than it might otherwise have been.

The Panel had regard to the following mitigating factors:

Significant admissions were made at an early stage of the proceedings and thereby, no witnesses were required to attend the hearing to give evidence .

GH apologised to both PC A and PC B.

GH showed genuine remorse and took responsibility for his actions and further, showed some developing insight into the consequences of his actions. in this regard, GH recognised some of the causal factors of his behavior and has taken positive steps to address them.

Personal Mitigation

In this regard, the Panel was provided with GH's record of service and numerous positive character references from serving officers and civilians.

Outcome

In considering the most appropriate outcome the Panel had regard to the seriousness of the repeated proven conduct and the purpose of the misconduct regime and thereafter, considered what is the most appropriate outcome in all the circumstances.

The Panel reminded itself that the most important purpose of imposing disciplinary sanctions is to maintain public confidence in, and the reputation of, the policing profession as a whole. Further, the Panel was mindful that the purpose of misconduct proceedings is not to punish the officer concerned.

The Panel considered the less severe outcome before more severe outcomes.

The Panel carefully considered the most appropriate outcome that reflects the seriousness of proven conduct. It considered that, given the seriousness of the proven conduct and GH's leadership role, a Final Written Warning was not an appropriate outcome because it would not serve to uphold professional standards or maintain public confidence in policing. Therefore, the Panel then considered the outcome of Reduction in Rank. However, before reaching any conclusion the AA was provided with an opportunity, through Counsel, to articulate its views, including in relation to the likely operational impact of such an outcome.

The Panel in considering Reduction In Rank had due regard to the submission made by Counsel for the AA and GH.

The Panel considered that the proven conduct demonstrated poor leadership that fell far below the standard expected of a Sergeant.

In all the circumstances, the Panel having applied the structured approach considered that the most appropriate outcome is Reduction in Rank.

Panel

ACO: Jonathan Roy

IPM: Jan Lamping

IPM: Alastair Cannon

LQP: David Tyme

1 July 2026